

UNITED STATES OF AMERICA  
 NATIONAL TRANSPORTATION SAFETY BOARD  
 OFFICE OF ADMINISTRATIVE LAW JUDGES

\* \* \* \* \*

Investigation of:

MV ETHAN ALLEN,  
 LAKE GEORGE, NEW YORK,  
 OCTOBER 2, 2005

\*  
 \*  
 \*  
 \*  
 \* Docket No.: DCA 06 MM 001  
 \*  
 \*  
 \*

\* \* \* \* \*

Interview of: RICHARD PARIS

Fort William Henry Resort and  
 Conference Center  
 Lake George, NY

Tuesday,  
 October 4, 2005

The above-captioned matter convened at 10:40 a.m.

BEFORE: MORGAN TURRELL

## APPEARANCES:

MORGAN TURRELL  
National Transportation Safety Board

PAT BARNES  
National Transportation Safety Board

MARIETTE BURER  
National Transportation Safety Board

LIAM LARUE  
National Transportation Safety Board

MAJ. STEVE RIVENBURGH  
New York State Park Police

SGT. WALTER SCHEDEL  
New York State Park Police

DOUGLAS DAVID  
Warren County Sheriff's Office

SEAN QUIRK  
Shoreline Cruises

HUGH QUIRK  
Shoreline Cruises

MATT QUIRK  
Shoreline Cruises

JIM QUIRK  
Shoreline Cruises

Also Present:

KEVIN HICKEY  
Attorney for Mr. Paris

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Richard Paris:	
By Mr. Turrell	5
By Ms. Burer	38
By Sgt. Schedel	50
By Mr. Matt Quirk	51
By Maj. Rivenburgh	53
By Mr. James Quirk	54
By Mr. Turrell	55
By Maj. Rivenburgh	58
By Mr. Matt Quirk	59
By Mr. Turrell	60
By Mr. Larue	76

I N T E R V I E W

(10:40 a.m.)

MR. TURRELL: Good morning. This is Morgan Turrell, National Transportation Safety Board. We're here with Captain Richard Paris in the investigation of the Ethan Allen. Today's date is October 4th. It's 10:40 in the morning.

I'll introduce the interviewers, persons present. I'll start at my right side. Go ahead.

MS. BARNES: Pat Barnes, National Transportation Safety Board.

MR. TURRELL: Spell that, please.

MS. BARNES: B-a-r-n-e-s.

MR. TURRELL: Thank you.

MAJ. RIVENBURGH: Steve Rivenburgh, Major, New York State Park Police, R-i-v-e-n-b-u-r-g-h.

MR. S. QUIRK: Sean Quirk, Shoreline Cruises, Q-u-i-r-k.

MR. H. QUIRK: Hugh Quirk, Shoreline Cruises, Q-u-i-r-k.

SGT. SCHEDEL: Sergeant Walt Schedel with the New York State Park Police, S-c-h-e-d-e-l.

MR. DAVID: Investigator Douglas David, Warren County Sheriff's Office.

MR. HICKEY: Attorney Kevin Hickey from (indiscernible). It's in Albany, New York. We represent

1 Mr. Richard Paris.

2 MR. PARIS: Richard Paris, that's P-a-r-i-s.

3 INTERVIEW OF RICHARD PARIS

4 BY MR. TURRELL:

5 Q. Okay. And do you understand that you're being  
6 recorded?

7 A. Yes.

8 Q. And you understand this will be a public statement  
9 and will be in the record as --

10 A. I understand.

11 Q. Okay. Thank you. We're here investigating the  
12 accident of the Ethan Allen that occurred Sunday, October 2nd,  
13 and the first thing I wanted to ask you on the record, what's  
14 your position with Shoreline Cruises?

15 A. I'm a senior captain.

16 Q. And how long have you worked for Shoreline Cruises?

17 A. 23 years.

18 Q. Do you recall the, the year you joined?

19 A. 1982.

20 Q. Okay. And what was your employment before that?

21 A. Retired from the New York State Police.

22 Q. Okay. If you would step back now just to your  
23 professional life starting say after high school, where you  
24 graduated high school, and just step us through --

25 A. One of your men, I forget his name, has

1 (indiscernible) resume.

2 Q. Okay.

3 A. I --

4 Q. (indiscernible) read it off, and I'll accept that.

5 A. After graduating from high school when the Korean War  
6 started out, I was two years in the Army Rangers during the  
7 Korean War, then 25, exactly 25½ years with the New York State  
8 Police, and one of those seasons was the ran the Marine Patrol  
9 on Lake George, the State Police boat.

10 Q. Okay.

11 A. And after that was my present job, 23 years finishing  
12 up 23 years as a captain, Master's License with Shoreline  
13 Cruises, Incorporated.

14 Q. Okay.

15 MR. TURRELL: I'll just for the record, I'll state  
16 the investigator is Liam Larue, L-i-a-m L-a-r-u-e, and Mariette  
17 Burer, B-u-r-e-r, joined the --

18 BY MR. TURRELL:

19 Q. Captain, who issued you your captain's license?

20 A. It was issued by Shoreline Cruises.

21 Q. Your captain's license?

22 A. Well, New York State.

23 Q. New York State?

24 A. The license, yes, okay.

25 Q. So your New York State license. How long have you

1 held that?

2 A. About 21 years of my 23 years, Master's License.

3 Q. Do you recall what the qualifications were when you,  
4 when you applied for the state license, what your  
5 qualifications were for that?

6 A. I think -- oh, my qualifications or what I had --

7 Q. Both, both.

8 A. All right, well, I had to take a written license,  
9 test, I should say, and then they had safety inspector out on  
10 one of our larger cruise boats, which they -- asked me  
11 questions out there about navigation law, et cetera, and put me  
12 through a few requested maneuvers with the boat, so that I  
13 could handle --

14 Q. Okay.

15 A. -- the boat all right.

16 Q. Okay. So we've -- tell me a little bit. We'll get  
17 in more detail about that later. Tell me a little bit about  
18 your, just your, your situation right now, your family --  
19 you're, you're married, kids or --

20 A. I'm married with two grown boys.

21 Q. Okay. And where do you live? Generally speaking  
22 what city?

23 A. Well, it's on the east side of Lake George just south  
24 of Queensbury, but --

25 Q. That's fine. I'm going to ask you, Captain, if you

1 would just now recount the events of October 2nd to the best of  
2 your memory. Just go ahead and start it from the way you woke  
3 up that morning and in as much detail as possible, step us  
4 through what happened that day in your own words.

5 A. All right, well, I was due to come in to work at  
6 10:30, and I had one cruise in the morning, then I had this  
7 charter bus at supposedly 3 to 4, but they got there a little  
8 early, and I think I loaded them and left the dock at about 20  
9 minutes to 3, and took them up on our usual basic one-hour  
10 cruise, take them up the west side of the lake, cross over,  
11 come down the east side on a return trip. It's about an hour  
12 by boat.

13 Q. Okay.

14 A. Well, I didn't make it obviously.

15 Q. Okay.

16 A. I was up just a little bit north of a New York State  
17 campground called Hearthstone (ph.), and there's a small bay  
18 there before you get to Cramer's Point. Am I going too fast?

19 Q. No. Go ahead.

20 A. Okay. And I've always -- take a dip into that bay  
21 just a little bit, and I started to swing out, and I noticed  
22 this wave coming at me, good-sized wake. Because the lake was  
23 calm, so it wasn't from the lake being rough. And I started to  
24 cut into it, but it just was a -- as quick as I could, but it  
25 didn't get over the boat, didn't get over that quick, and it



1 caught me on the right side, starboard side back by the stern  
2 corner, and flipped it over to the left side, the port side.  
3 And at that time, we were -- the boat was at such an angle the  
4 passengers on the right side slid off of their bench seats.

5 Q. Okay.

6 A. And so it ended up with all the weight of those  
7 people on the port side, the same direction that the boat was  
8 leaning over, and the boat did not recover.

9 Q. Okay. And what do, what do you recall in, in those  
10 moments? What can you tell us?

11 A. Well, the boat did turn, go right over, bottom up,  
12 completely capsized, and a lot of people --

13 MR. TURRELL: Just a moment.

14 MR. PARIS: Okay.

15 MR. TURRELL: Going to pause just for a moment.

16 (Off the record.)

17 (On the record.)

18 MR. TURRELL: Okay, we're resuming now. Two of the  
19 other -- Quirk family members have joined us. We'll have them  
20 sign the sheet. We'll continue.

21 BY MR. TURRELL:

22 Q. Sorry, Captain. So --

23 A. All right, the boat completely capsized.

24 Q. Boat capsized, okay. Go ahead.

25 A. And some of the people -- I can't, I wasn't counting

1 on the side I was on the water too holding on. I can't -- I  
2 was too busy to be counting how many were getting out of there.

3 And about that time a lot of civilian boats saw us and came  
4 over and offered their help, threw life preservers, those  
5 floating seat cushions to float with.

6 Q. Uh-huh.

7 A. And throwing them out, God bless them, and I could  
8 hear people hollering help from under the boat that were  
9 trapped down there, and there's nothing we could do. Just  
10 hoping that they could get out, find their way out. Obviously  
11 some of them didn't. And I was the last one in the water  
12 because I wanted to make sure everybody was out that could get  
13 out, and then she finally -- one thing I didn't say, when she  
14 finally went down, the bow went down first, and I assume hit  
15 the bottom -- escape up towards the bow evidently. And just  
16 the stern was sticking out, and that's where I happened to be  
17 holding on with one hand and helping people with the other, and  
18 finally the stern started to go down, and that's when I had to  
19 get -- let go and let the private boat pick me up.

20 Q. Okay. So after the boat picked you up, where did  
21 that boat take you? Do you recall (indiscernible) pick you up?

22 MR. TURRELL: You're going to have to turn that phone  
23 off or leave, please. Thanks.

24 MR. PARIS: It was a private boat. I didn't  
25 (indiscernible) the people.

1 BY MR. TURRELL:

2 Q. Okay.

3 A. Awful nice people, and thank God they gave me a  
4 blanket because I was -- it was cold.

5 Q. Okay.

6 A. I was soaking wet. We all were. And then finally my  
7 boss, Mr. Quirk, came up on one of our pontoon boats and they  
8 transferred from that civilian boat over to our pontoon boat.

9 Q. Okay. And --

10 A. And then they brought me down here. Well, the  
11 Sheriff Cleveland came over in the sheriff's boat and came  
12 onboard the pontoon boat. I've known him for years from the --  
13 State Police. He just wanted to know if I was all right and  
14 everything, and I said, yeah, I'm fine, can't stop shaking, but  
15 I'm fine. And he got back into the sheriff's boat, and they  
16 took off and --

17 Q. Okay.

18 A. -- and my boss, Mr. Quirk, brought me back down to  
19 (indiscernible).

20 Q. Captain, let's step back just a little bit and  
21 retrace the boat's path. You left the dock and you're  
22 proceeding north, right?

23 A. On the west shore.

24 Q. Okay. Can you tell us how the passengers were loaded  
25 on the boat?

1           A.    Yeah, the boats are built so on the port side there's  
2 benches, wooden benches, secured to the bottom floor deck, and  
3 they will hold three people. And then there's another set  
4 opposite the three people -- going up the starboard side, and  
5 they hold two people. And there are a few front seats that  
6 hold probably another six people.

7           Q.    Okay. And so were all the seats full?

8           A.    Yes.

9           Q.    Now who, who counts, who counts the persons coming  
10 onboard?

11          A.    I count them. There were 46 plus me.

12          Q.    And is there a method of counting besides the head  
13 count or is it ticketed or --

14          A.    Head count.

15          Q.    Okay. Were you told there's a certain number of  
16 people coming onboard before -- did the Quirks tell you that,  
17 you know, x amount of persons coming onboard?

18          A.    Well, we had two buses that day, the same tour, and I  
19 took what I could take, and I -- what they had on the other  
20 boat, I don't know, because he didn't leave until after I did  
21 because he still had to fill his boat up with them.

22          Q.    Okay. Which boat was that?

23          A.    That would be the de Champlain.

24          Q.    So they were also scheduled to leave?

25          A.    Yeah. We were both scheduled to leave at three, but

1 as I said, my bus got -- was the first one there, and they were  
2 anxious to get going, so Mr. Quirk says, board them, and when  
3 your boat, when you're full, take off.

4 Q. All right. Do you recall that the De Champlain ever  
5 took off?

6 A. I believe he did, yeah.

7 Q. Do you know who the other captain on that vessel is?

8 A. Yeah, William Perry, P-e-r-r-y.

9 Q. Okay. Okay. So you're -- you've departed the dock.  
10 You -- are all passengers seated?

11 A. Yes.

12 Q. Can you describe the, the demeanor of the passengers?  
13 Just describe the passengers in general as a whole.

14 A. Very great. They're senior citizens and I like them.  
15 We get a lot of senior citizen buses this time of year  
16 (indiscernible) as we call them. Of course there are a lot of  
17 (indiscernible), but we have a lot of fun. You can talk to  
18 them and kid with them, and they're just nice people.

19 Q. Did they all get onboard the boat by themselves? Do  
20 they require assistance?

21 A. Oh, I'm always there at the gate because we have a  
22 couple of steps going up before you step onto the boat, and I  
23 hold the (indiscernible) one hand.

24 Q. Did any --

25 A. -- on tight against the steps on the dock.

1 Q. Did any passengers require extra assistance to get  
2 onboard?

3 A. We had a few with walkers, and we had one in a  
4 wheelchair, but they get on sometimes that they can't walk at  
5 all. We get help and lift the wheelchair on. Because we  
6 (indiscernible) chairs, we do a lot of them. They're able to  
7 get, they get on the entranceway to the boat. But she, she  
8 could stand, so we helped her, guy on each side, so she could  
9 get on the boat. Took her wheelchair with her, but -- and then  
10 she sat on a, a bench, I'm not sure --

11 Q. Okay. Now this is sort of a technical question from  
12 your knowledge on the scene. Do you recall if the passengers  
13 on one side or another or passengers forward or aft had more  
14 difficult time getting out of the boat?

15 A. Getting on the boat?

16 Q. Getting out of the boat.

17 A. Oh, out of the boat.

18 Q. When the boat capsized, do you recall if there's a --

19 A. All I can --

20 Q. -- on one side --

21 A. -- recall is them coming out when the boat's upside  
22 down. Now that would be the starboard side now because the  
23 boat's upside -- but it's the left side --

24 Q. All right.

25 A. -- in the water. All of the windows were up.

1 Q. All the windows --

2 A. And I don't mean -- that doesn't mean closed. Our  
3 windows swing up.

4 Q. Okay.

5 A. And they latch up there, and they were all up except  
6 the front ones. They don't. They're permanent, except the  
7 real front ones.

8 Q. Okay. These are materials -- the windows are --

9 A. Plexiglas.

10 Q. So anyway, you're, you're departing, all the  
11 passengers were seated.

12 A. Uh-huh.

13 Q. And you're heading north on the west --

14 A. Yeah, and I'm doing about five miles an hour. We  
15 have a speed zone down -- end of the lake. I go five miles an  
16 hour until I get out past the markers, then I push it up to  
17 about eight miles an hour, and that's our normal tour boat  
18 speed.

19 Q. Okay.

20 A. And -- it was a narrated cruise, pointing out  
21 mansions and information on the lake and whatnot.

22 Q. Okay.

23 A. A routine narration basically.

24 Q. Okay. And just as you were approaching the area  
25 where this incident occurred, what features are you pointing

1 out at this point?

2 A. Well, there's a lot of beautiful private  
3 (indiscernible) and I don't know the names of the owners, but I  
4 was pointing them out. I want to get in close enough, you  
5 know, 100 feet out, not any closer than that, but just to show  
6 them, let them get a good look at these places. And my  
7 intentions were on Cramer Point, which forms part of this  
8 little -- it's not really a bay. It's just an indent. I can't  
9 do it with my hands, that doesn't --

10 MR. TURRELL: Do you have that map there, Pat?

11 MS. BARNES: Yes, I do.

12 MR. PARIS: Oh, that would be great.

13 MS. BARNES: Here it is.

14 BY MR. TURRELL:

15 Q. I'm pointing out the graphic map that the Power  
16 Squadron puts out.

17 A. Uh-huh.

18 Q. And if you would just --

19 A. Okay.

20 Q. -- kind of describe here --

21 A. You want to see this, right? Let me just --

22 Q. Go ahead.

23 A. All right, we're down here.

24 Q. Okay.

25 A. Now --



1 Q. You're at the, the town dock?

2 A. Well, we have our own dock.

3 Q. Right. Your own dock.

4 A. Right in there.

5 Q. Okay.

6 A. I come up, see this is the shaded area, a five-mile

7 an hour zone.

8 Q. Okay.

9 A. So I come out here to get out of that.

10 Q. Okay.

11 A. And cruise up -- and this goes all the way to Tea

12 Island right here.

13 Q. You can go ahead and use --

14 A. Oh, all right.

15 Q. -- go ahead and mark it.

16 A. Okay. Come up this way and --

17 Q. Okay.

18 A. -- this way.

19 Q. Okay.

20 A. Out of the five mile an hour zone.

21 Q. Okay.

22 A. And back up -- this is Tea Island here.

23 Q. Okay.

24 A. Now I go back into the five mile an hour zone here

25 because we go back with the tour boats in through here.

1 There's Eagle -- Singer Sewing Machine Mansion right in there.

2 Q. Okay.

3 A. So I take that and tell them what it was and what it  
4 is right now, and then come out through this channel, and back  
5 out here to back up to eight miles an hour again.

6 Q. Okay.

7 A. Go up, and I see -- this is the site of the State  
8 Camp Ground.

9 Q. Okay, right.

10 A. Right down here is a beautiful mansion. We always --  
11 all the mansions, we talk about when they were built, who owned  
12 them.

13 Q. Sure.

14 A. And we don't give out names of present --

15 Q. Sure.

16 A. -- just say it's privately owned now. It's right  
17 there. And I went up this way past the --

18 Q. Uh-huh.

19 A. -- park. Pointed that out.

20 Q. Uh-huh.

21 A. Closed (indiscernible).

22 Q. Okay.

23 A. Now here's where these very nice -- I mean a lot of  
24 camps are nice on the (indiscernible). There's a nice group of  
25 beautiful --

1 Q. Okay.

2 A. And I went in like that just to give them a look at  
3 these. This is Cramer Point.

4 Q. Okay.

5 A. That's the point I'm talking about. Came out -- my  
6 intentions, I won't mark that because I didn't make it that  
7 far. Or do you want it marked?

8 Q. No, just, just tell me what happened to the boat.

9 A. All right. Just as I swung around to come this  
10 way --

11 Q. Okay.

12 A. -- that's when I saw this wave or a group of waves.  
13 The first one is the one that did the job.

14 Q. If you could draw some parallel lines of where the  
15 wake was.

16 A. All right. Let's see. All right, they were coming  
17 in like that. Okay.

18 Q. Okay. Do you recall roughly the -- can you just  
19 guess the spacing between those waves?

20 A. They're probably about the width of this table apart.

21 Q. Okay.

22 A. They're, they're not sharp waves. They're more like  
23 rollers.

24 Q. Okay. So about four feet apart?

25 A. At the most.

1 Q. Okay.

2 A. And the first one hit me, and that did it, did me in  
3 right there.

4 Q. Okay.

5 A. Now the Mohican -- I can't say positive that the  
6 Mohican that put that wake out. He was up here going north,  
7 and he was out of sight because of these two points there I  
8 couldn't see him, but I hate to say they were his waves,  
9 because I am not positive.

10 Q. Okay.

11 BY UNIDENTIFIED SPEAKER:

12 Q. Any other boat that can make that wave --

13 MR. TURRELL: You'll have an opportunity to ask  
14 questions.

15 MR. PARIS: Yeah, and well, that's the end of it,  
16 see. Normally I would have gone into Green Harbor here, right  
17 down into this bay, then I cut across to Woods Point and come  
18 down the east side on my return trip.

19 BY MR. TURRELL:

20 Q. Uh-huh.

21 A. Cut across the beach road here with million dollar  
22 beaches and right back to --

23 Q. Okay. So can you tell me roughly the, the heading  
24 where you're pointing, the heading of the boat when you  
25 actually --

1           A.    Just, just, I just turned the wheel.

2           Q.    Okay.

3           A.    To, to bring the bow --

4           Q.    So you're --

5                   (Simultaneous comments.)

6           Q.    Were you on northerly heading say at that point?

7           A.    Yeah.  See Lake George doesn't run actually north and

8 south.  It runs northeast to southwest.

9           Q.    So you were, you were aiming at --

10          A.    I was just -- the bow really didn't get to swing.

11          Q.    Okay.

12          A.    Because the weight of the boat.

13          Q.    Okay.

14          A.    Which is normal.  It's a --

15          Q.    But when, when you did --

16                   (Simultaneous comments.)

17          A.    When I started, that's when the wave hit me, and from

18 there on in, it's --

19          Q.    Okay.

20          A.    -- you can --

21          Q.    Okay.  So at the point where you started turning, did

22 you put the rudder hard over?

23          A.    No.

24          Q.    No?

25          A.    Just -- well, it (indiscernible) turn but that's not

1 a hard rudder. That's all I had a chance to do.

2 Q. Okay. When you, when you turned and you saw these  
3 waves and you -- were you headed into them?

4 A. I normally head in --

5 Q. Perpendicular to --

6 A. -- put the bow into them.

7 Q. Okay. Okay. And can you estimate the height of the  
8 waves roughly, which is the spacing --

9 A. I would say close to 3 feet high.

10 Q. 3 feet?

11 A. Yes. Pretty close.

12 Q. Uh-huh. And at that point, did the bow raise up at  
13 all?

14 A. No. Because it -- but actually what -- the wave part  
15 that hit the boat was the -- stern -- starboard side.

16 Q. Okay.

17 A. That's sort of halfway up the boat.

18 Q. Okay.

19 A. Hard to describe.

20 Q. So was the starboard quarter, the --

21 A. Yeah.

22 Q. On the starboard quarter.

23 A. -- towards the stern.

24 Q. Did the wave, when the wave hit the boat, did water  
25 enter the boat directly from the wave?

1           A.    No.  The boat sit pretty high off the water.  I can  
2 almost show you.  This is the boat --

3           Q.    Okay.

4           A.    -- the wave hit me right here.

5           Q.    Okay.  Starboard quarter.

6           A.    Yeah.

7           Q.    Okay.

8           A.    And what it does, I'm not -- you probably know this.  
9 The boat went up like this.

10          Q.    Sure.

11          A.    Well, by that time, the wave had gone -- and she  
12 started going over like that.

13          Q.    At what point did the -- did water start enter the  
14 port side then?

15          A.    Well, soon as this -- went under.

16          Q.    Okay.

17          A.    That would be the --

18          Q.    Okay.  How many times have you taken 48 passengers  
19 before or 47 passengers?  I mean --

20          A.    Well, probably every year I've been there.

21          Q.    So how many times a week would you say?  How many  
22 times a summer?

23          A.    Oh, gosh, well, we even get them in the summer buses  
24 too and in the spring.

25          Q.    Okay.

1           A.    It's hard to figure because some years you can get a  
2   few and some years you get loaded with buses.

3           Q.    But is this a frequent occurrence or rare occurrence?

4           A.    Oh, yes, especially this time of year.  As I say,  
5   they're -- when the bus tours seem to run more in the off-  
6   season.

7           Q.    So it happens more often than (indiscernible) you're  
8   usually pretty full?

9           A.    Yeah, yeah.

10          Q.    Now, have you ever taken a crew member with you  
11   before?

12          A.    Yes.

13          Q.    Okay.  How -- what are the company rules about having  
14   an extra crew member onboard?

15          A.    Well, I don't know just what exactly what those rules  
16   are, but --

17          Q.    Well your -- was your understanding --

18                   (Simultaneous comments.)

19          Q.    -- your understanding?

20          A.    Yeah.  Now that particular day, I think, Hugh talked  
21   to the tour director?  I didn't talk to her because I was busy  
22   getting the people on, and I didn't hear that conversation, but  
23   Hugh Quirk told me.  He said she would take care of minding the  
24   people, getting them seated and everything.

25          Q.    So Hugh Quirk was onboard the boat?



1 A. No. He was going to go. He was going to go with me.

2 Q. Yes.

3 A. But she said she would do it.

4 Q. Okay. The tour director went?

5 A. Yeah, tour director went.

6 Q. Is it -- would the tour director be considered a crew  
7 member?

8 A. As far as we know because (indiscernible) but the --  
9 we have a person on just in case they have kids or something  
10 that can get a little rowdy running around, she -- come on, sit  
11 down, you know, everybody.

12 Q. How often, how often do you carry an extra person, a  
13 mate, if you will or a crew member?

14 A. Not that often. Usually it's on a charter like a  
15 bus.

16 Q. Okay.

17 A. And we -- because normally we don't get a boatload  
18 like that just off the street, tickets off the street.

19 Q. Okay. So your understanding is at what point do  
20 you -- what do you take, a -- roughly how many number of  
21 people? At what point do you --

22 A. Probably 20 or better.

23 Q. And who, who are some of the, the mates, the other  
24 employees that would serve --

25 A. People that work for us.

1 Q. Okay. Do you -- can you name some of their names?

2 A. They change every year.

3 Q. Okay. So they're summer employees?

4 A. Summer employees, yes, seasonal employees.

5 Q. And these employees are -- you'd characterize them --  
6 are they college students or --

7 A. A lot of them are college students, high school, not  
8 kids. I can't call them kids, but they're, you know --

9 Q. Young.

10 A. -- seniors in high school.

11 Q. Young adults?

12 A. Yeah. That's what --

13 Q. And these persons are employees, summer employees,  
14 temporary employees at Shoreline?

15 A. Right.

16 Q. Is there any sort of training for these individuals  
17 that they take them out or what do they do to --

18 A. Well, usually they have other jobs there, and if they  
19 see we're going to get quite a few on the boat, Mr. Quirk will  
20 say drop what you're doing, get out, I want you to go with him,  
21 meaning me or whatever captain is taking the boat out.

22 Q. So is there a standing rule at all about when you  
23 always have a mate or is there a standing rule that --

24 A. There is no law says we have to have two.

25 Q. No, I'm not talking about a law.

1           A.    Oh.

2           Q.    Is there a standing rule in the company?

3           A.    Oh, company, no.

4           Q.    To your knowledge.

5           A.    No.

6           Q.    Okay.  And, and you're the senior captain on the --

7           A.    Yes.

8           Q.    How many other captains work for --

9           A.    Boy.

10          Q.    Just roughly?  Half a dozen, a dozen?

11          A.    Not a dozen.  I don't know, about eight.

12          Q.    Eight.  Okay.

13          A.    About eight.

14          Q.    About eight.  Okay.  And how many boats or is the

15 company running right now?

16          A.    Five.

17          Q.    Five boats.  Okay.  And do you operate all the boats

18 or do you --

19          A.    I can, but I normally stick to cruise boats.  When we

20 had our (indiscernible) which was a good size boat, 60 -- 65

21 feet long, I drove that quite a bit.  In fact, I trained all

22 our other captains on that.

23          Q.    Okay.  So currently you normally just stick to the --

24 which?

25          A.    Mostly the tour boats, yes.  We call them tour boats,

1 the 40-footers.

2 Q. Can you give us the names of those 40-footers?

3 A. Yeah. Ethan Allen.

4 Q. Uh-huh.

5 A. De Champlain.

6 Q. Okay.

7 A. And Algonquin.

8 Q. And the Algonquin is similar to the other two?

9 A. Except that it doesn't have a full roof. We try to  
10 save that boat because it -- use it for small charters, 30  
11 people or less because it's set up for charter private parties.

12 Q. Okay.

13 A. But we, we get bound, we will bring that into service  
14 too.

15 Q. Okay. When, when -- just when the boats go in, just  
16 when you -- the boat got the wave hit it, did you -- you were  
17 already -- you turned the wheel one turn. Did you adjust the  
18 throttle at all?

19 A. Backed off.

20 Q. You backed off.

21 A. Yeah.

22 Q. And you backed off to idle?

23 A. No. Just slowed down.

24 Q. Okay.

25 A. Because I find if you slow down too much then your

1 rudder is not responding as well as if you've got a little  
2 speed.

3 Q. Sure. So you slowed down and, and once the boat hit,  
4 how -- once the wave hit, how long did you have before the  
5 vessel capsized?

6 A. Seconds.

7 Q. Okay. Can you describe what the passengers, the  
8 reaction of the passengers? They were sliding, but what was  
9 the general --

10 A. Screaming.

11 Q. -- on board?

12 A. Screaming.

13 Q. Where are the vessel lifejackets stored?

14 A. Up in the bow, there's a (indiscernible) that pulls  
15 open and there's 10 children in there (indiscernible).

16 Q. Okay.

17 A. And the other ones are in back by me in the rear  
18 console, if you want to call it that. And -- size --

19 Q. Okay. And how many --

20 A. There are 50 adult and 10 children.

21 Q. Okay. I'm going to ask you right now about the boat  
22 maintenance. Can you describe the -- what kind of maintenance  
23 was performed on this boat on a routine basis on the Ethan  
24 Allen?

25 A. Well, every year the state inspects the boats.

1 Q. Okay.

2 A. Everything down in the engines, life preserves. We  
3 pull every life preserver out. Some of them, they'll reject  
4 and we replace them with brand new ones because they don't last  
5 forever. And all our boats, all five of our boats they don't  
6 do them all in one day, that's too much for that.

7 Q. Right.

8 A. And check fire extinguishers, make sure they're up-  
9 to-date.

10 Q. Okay.

11 A. And daily, first captain on board when it comes to  
12 whatever boat he knows he's going to use that day, we do these  
13 little checks on the engine, transmission checks, for fluid,  
14 look the boat over for its cleanliness and whatnot. If it  
15 needs mopping, mop it. But that's one thing that we always do,  
16 the captain is responsible for checking our oil, coolant,  
17 transmission fluid. He does not want anybody to do that but  
18 the captain because he's responsible for it.

19 Q. And fuel? Fuel.

20 A. I'll tell you those things will go forever. On --  
21 they'll go two weeks on normal cruising on just one fill up.  
22 They're very economical.

23 Q. What kind of engine is it just roughly? Do you --

24 A. They're all diesels. All five of our boats are  
25 diesels.

1 Q. Single-screw?

2 A. No, the two big boats are twin-screw.

3 Q. And the Ethan Allen?

4 A. -- single-screw.

5 Q. Single-screw, yeah. And so when do you recall the  
6 last -- do you recall the last inspection? Were you involved  
7 the last state inspection?

8 A. I wasn't there. They come around May, early May.

9 Q. Okay. You said you weren't there?

10 A. I wasn't there. They, they -- you never know when  
11 they're coming. They might call and say we'll be up today to  
12 do the boats, you know. It's not the same day every year.

13 Q. Okay. And when after their inspection, were you made  
14 aware of any, any problems with the boats?

15 A. They tell whoever -- one of our people goes around  
16 with them, and he takes notes. If they say something, this has  
17 got a leak in it, an exhaust pipe or whatever.

18 Q. Okay.

19 A. They'll write that down and it will be fixed.

20 Q. Do you recall anything was ever written down or fixed  
21 or --

22 A. No. Oh, once in awhile you'll have a -- like your  
23 running lights a bolt off.

24 Q. Okay. As a result of the May inspection, do you  
25 recall any specific --

1 A. No.

2 Q. -- deficiency?

3 A. No.

4 Q. Okay. So when you returned to the boat and return to  
5 that moment when you -- when the boat capsized and the  
6 passengers fell over. Do you recall seeing, seeing anyone  
7 actually get injured?

8 A. No.

9 Q. Okay.

10 A. Because all that (indiscernible) was still in the  
11 water.

12 Q. Okay. How long did it take for you to actually get  
13 out of -- into the water from the time the boat started turning  
14 over? How long did it take you to get in the water?

15 A. I was more or less thrown out of it because there's a  
16 entryway door right there, not a door, is --

17 Q. So you fell?

18 A. Yeah.

19 Q. Is that correct?

20 A. Well, I leaned a little, you know. It was normal  
21 reaction. The boat's going that way, you hang onto the  
22 steering wheel, and finally went over, so I was going over, I  
23 was out a little more, and I ended up -- in the water.

24 Q. Okay.

25 A. Hanging onto this --



1 Q. Okay.

2 A. -- something I was hanging onto.

3 Q. So portside, so you --

4 A. Yeah.

5 Q. -- fall into --

6 A. Went this way. Lot of people came out, and I, I  
7 can't tell because the hull was in the way. It was floating at  
8 the time upside down. I couldn't see how many got out the  
9 other side, but I was making sure the people that were -- could  
10 get out were directed over, crawling over those private boats  
11 (indiscernible). You know, I didn't want to let go because  
12 I -- of course I had my uniform clothes on, jacket on. If I  
13 let go, I might have --

14 Q. Uh-huh. Are -- do you recall when you do the boat,  
15 the check off sheet in the morning --

16 A. Uh-huh.

17 Q. -- are there any checklists that you perform? Is  
18 there a physical piece of paper that you use?

19 A. Yeah. It takes not even five minutes to do it  
20 because you take the engine hatch over, most of the boats, you  
21 can do it right from the top. You don't have to -- the only  
22 thing you have to crawl down in usually is the transmission  
23 because that's back under the deck. You can't reach it, you  
24 know, it's just (indiscernible). You can't reach it from the  
25 engine hatch.

1           Q.    Can you take us that day, this pre-checklist that day  
2   that you took the boat out.

3           A.    The boat was checked twice, because Hugh Quirk  
4   checked it.

5           Q.    Okay.

6           A.    And which I didn't know, so I checked it because, you  
7   know, I didn't know --

8           Q.    You checked it and then --

9           A.    And I checked it, and it was fine.

10          Q.    So what, do you recall exactly what you checked that  
11   morning?

12          A.    The same thing, oil, wiring, coolant, transmission,  
13   and we look at the bilge to see if there's any oil on the  
14   bilge, and if it is, well, we've got a little problem here  
15   somewhere, but the bilge was perfectly clean.

16          Q.    It was clean. Was there any water in the bilge?

17          A.    If there was, I couldn't see it because it's -- it  
18   was gathered underneath the engine.

19          Q.    So there's -- is there one -- how many, how many  
20   places do you check the bilge? Is it one compartment?

21          A.    No, there are three compartments.

22          Q.    And did you check these three compartments for water?

23          A.    Yes, you can.

24          Q.    Did you?

25          A.    (indiscernible) right on the deck and you just check

1 that out and (indiscernible).

2 Q. Do you check that?

3 A. Yeah.

4 Q. Did you check it that morning?

5 A. Yeah. Yeah.

6 Q. And did you see any water in --

7 A. No.

8 Q. So --

9 A. You might see a little, and I'll tell you why.

10 Because sometimes the captain who -- the previous day left the  
11 windows up, and --

12 Q. Okay.

13 A. -- we might have gotten rain, well, if it's a windy  
14 rain that comes sideways, then it would come in the boat, so a  
15 lot of that water is if you had rain previous day or that  
16 during the night and it was closed down, you will get water in  
17 the bilge because there's -- those hatches aren't water tight.  
18 So any water that gets on the deck will eventually --

19 Q. Right.

20 A. -- rainwater.

21 Q. Right. Apart from any traces of water from rain or  
22 condensation, did you see any abnormal amounts of water in the  
23 boat that day?

24 A. No.

25 Q. Do you recall if the boat has a bilge alarm or bilge

1 alarms of any kind?

2 A. Not a bilge alarm.

3 Q. No.

4 A. (indiscernible) to keep track of that, and if there's  
5 an excessive amount of water --

6 Q. What will you do then?

7 A. Whoever -- one of the boys, Quirk boys or -- well,  
8 yes, and then he'll get a mechanic over there and see what that  
9 water is coming from.

10 Q. Is there any way for you as captain to get the water  
11 out of the bilge?

12 A. We have a bilge pump on it.

13 Q. Okay.

14 A. But usually there isn't that much for the bilge,  
15 automatic bilge to pick up. They'll come and use these 5-  
16 gallon cans and they've got a little like a motor on them,  
17 little pump, and plug that in so -- and just stick the hose  
18 down there and suck all that out of there.

19 Q. Right. So -- has an automatic bilge pump?

20 A. There is -- no. It's not automatic.

21 (Simultaneous comments.)

22 Q. So is it manually activated --

23 A. Yes.

24 Q. -- electric bilge --

25 A. Yes.

1 Q. Is there one or is there two?

2 A. There's one, because there is a flow through down by  
3 the --

4 Q. Okay.

5 A. -- that would equalize.

6 Q. Right. So did you notice anything out of the  
7 ordinary with the mechanical or engineering or structural  
8 integrity of the boat that morning or that afternoon?

9 A. None whatsoever.

10 Q. Okay. Can you guesstimate the -- when you said the  
11 passengers stepped up onto the boat, can you guesstimate the  
12 (indiscernible) the distance from the water to the gallow (ph.)  
13 when you board the passengers?

14 A. Well, we have two steps, permanent steps on the dock,  
15 and the top step to link us (indiscernible) is right even where  
16 they step on the boat. There's no up or down.

17 Q. Okay.

18 A. Sometimes in the spring when the lake is high, you  
19 still have to step up a little bit like another step.

20 Q. Okay. So that afternoon --

21 A. It was --

22 Q. -- the distance from the steps is it the same or --

23 A. Right. It's about right where it belongs.

24 Q. Okay. I'm going to turn it over to the other NTSB  
25 investigators. I'll probably come back and ask a few wrap-up

1 questions.

2 MR. TURRELL: So, Liam.

3 Mariette.

4 MS. BURER: Apologize for coming in late.

5 BY MS. BURER:

6 Q. My name is Mariette Burer, and I'm (indiscernible).

7 When the passengers first board, is there any kind of routine  
8 that you normally do with greeting them and --

9 A. Well, what --

10 Q. -- showing them --

11 A. -- and if I see there's quite a few, I tell them to  
12 sit equally on both sides, because if everybody wants to sit on  
13 the shore side the boat is going --

14 Q. Right.

15 A. -- leaning over. You've got to balance the boat is  
16 what I'm saying.

17 Q. Right.

18 A. And if someone don't do it -- first thing I do when I  
19 look when we're ready to go, I'll look down, say, okay, I need  
20 about three people on the right side to balance the boat up.

21 Q. Right. Is that something that you already do before  
22 you already -- when you're still --

23 A. Well --

24 Q. -- there at the dock or --

25 A. -- when we're still at the dock. I won't move it

1 until we get the boat balanced.

2 Q. Okay.

3 A. We're -- all captains do the same thing.

4 Q. Okay. Is there anything else that you actually  
5 (indiscernible) of what people may have to do in regards of an  
6 emergency that could happen or a safety briefing maybe?

7 A. I point out where the life preservers are.

8 Q. Okay.

9 A. Show them -- of course if they're (indiscernible)  
10 don't even both with that because they couldn't get into those  
11 PFD's anyway.

12 Q. Right.

13 A. But I show them right back where right next to me --  
14 that's covered, be covered.

15 Q. Right.

16 A. There are 50 adult --

17 Q. Okay.

18 A. -- life preservers in there.

19 Q. And how would they actually get the PFD's, the  
20 lifejackets if there was an --

21 A. Well --

22 Q. -- emergency, if they needed --

23 A. If it was a real emergency, I don't think they would  
24 have had time. This -- we're talking seconds here.

25 Q. Right.

1           A.    That the boat went over.

2           Q.    But is there any kind of standard procedure in place  
3   that you're aware of with the organization or just your normal  
4   practice for these tours when you're dealing with these people  
5   to say, hey, in case of an emergency --

6           A.    They all know that all -- I tell every one of them.  
7   I mean the whole group when they're all on to look back at me  
8   because they're all facing forward.

9           Q.    Okay.

10          A.    Here, there's a sign on it.

11          Q.    Uh-huh.

12          A.    The life preservers, adult, and I say that's where it  
13   is, and it's very easy to get the cover off.

14          Q.    Okay.  So that passengers can actually retrieve  
15   the --

16          A.    Oh, yes, they can.

17          Q.    -- life preservers themselves?

18          A.    Yes, yes.

19          Q.    Okay.  They don't --

20          A.    But if this is a slow emergency, you know, whatever  
21   it could be, I can't -- you know, it's a lot of emergencies you  
22   can have.  I will stop the boat, get (indiscernible) life  
23   preservers if I think there's a danger of the boat going down.

24          Q.    Right.  Can you describe a little bit more to me what  
25   other safety equipment you may have?



1 A. Fire extinguishers.

2 Q. How many fire extinguishers?

3 A. There's three on those boats.

4 Q. Okay.

5 A. Different weights, and there's also right by me  
6 within reaching distance a life ring with --

7 Q. Okay. Okay. Is there any posters or signs or  
8 placards or --

9 A. No. See on these boats, I don't know if you've seen  
10 one of them or not, but we're all like a big family. We're all  
11 together.

12 Q. Okay.

13 A. So they will ask questions sometimes, and you answer  
14 them of course.

15 Q. Okay. Is it difficult to actually retrieve the life  
16 jackets out of the container?

17 A. No. It's like a cupboard.

18 Q. Okay.

19 A. A big cupboard. You just grab them, you know.

20 Q. Okay.

21 A. Just an action just like that, get them out in a  
22 hurry.

23 Q. Do you -- when you actually got into the water or  
24 when you fell into the water, do you remember exactly what you  
25 held onto at all?

1           A.    I think the first I grabbed was the rub rail, but I  
2   found that to be a little wet.  It was wet of course, hard to,  
3   you know, about that thick (indiscernible) and my hand kept  
4   slipping off it, so I just reached around until I found  
5   something that would hold me there, and I can't tell you what  
6   it was.  It was around inside the boat, and I don't know what I  
7   grabbed hold of, but it kept me up.

8           Q.    Okay.

9           A.    Kept me at the boat.

10          Q.    Do you remember seeing any other passengers in your  
11   immediate surrounding area?

12          A.    Oh, yes.

13          Q.    Okay.

14          A.    Yeah.  As I said before, I was in -- I was the last  
15   one in the water.  I wanted to make sure all those that could  
16   were taken care of.

17          Q.    Right.

18          A.    And most of them, a lot of them before the patrol  
19   boats, police department boats were there.  I must have had at  
20   least 10 private boats because they saw.  It's a normal  
21   reaction, one of the rules of the road, you know.

22          Q.    Right.

23          A.    If you see a boat in trouble, you go help.

24          Q.    Okay.  How long do you think your estimate of how  
25   long do you think you were actually in the water before the --

1 you said a private boater rescued you?

2 A. Yeah, well there were about 8 of them, about 8 or 10  
3 of them there.

4 Q. Okay.

5 A. They all just congregated on us when they saw the  
6 boat was upside down, they figured something's wrong here.

7 Q. Okay. But you were in the water for --

8 A. I was probably -- a good 20, 25 minutes.

9 Q. In the water?

10 A. Yeah.

11 Q. Okay. And then if I understood correctly, you were  
12 then transferred to the company pontoon (indiscernible)?

13 A. No, I -- a private boat --

14 Q. -- right --

15 A. -- to a van, and then I (indiscernible) pulled me on  
16 their boat when I was sure I had done everything I could there.

17 Q. Okay.

18 A. And they pulled me on their boat.

19 Q. Right.

20 A. Because I couldn't hang on much longer. I was  
21 getting -- I'm almost 75 years old. I get tired.

22 Q. Right. But --

23 A. And then I -- my boss, Mr. Quirk, came up on the  
24 pontoon boat, one of our rental pontoon boats.

25 Q. Right.

1           A.    And I transferred from the private boat onto that.

2           Q.    Okay.  And then were you ever transferred to the  
3 hospital?

4           A.    No, no.

5           Q.    You did not go to the hospital?

6           A.    I was just soaking wet and cold and --

7           Q.    Right.  Okay.

8           A.    They asked me if I wanted to go.  I fine, I'm still  
9 fine.  No reaction other than --

10          Q.    Right.

11          A.    -- don't sleep too well nights.

12          Q.    Do you -- when you go on shore, do you remember  
13 seeing any kind of emergency equipment?

14          A.    Not down by our place.  It was all up.  I can't tell  
15 you how many ambulances were there.  There were quite a few,  
16 and there were North Queensbury Fire Department,  
17 (indiscernible) Fire Department, Lake George Fire Department.  
18 Their rescue boats were there.  Lake George Park Commission  
19 boats were there, sheriff's, State Police boats showed up, and  
20 they were -- they sort of took over getting the people out of  
21 the water.

22          Q.    Okay.

23          A.    Get too many private boats running around and  
24 somebody is going to forget to take them out of gear.  They get  
25 near somebody and they're going to do a number on them.

1           Q.    Do you know if there's any kind of provisions or  
2   procedures for disembarking handicapped people or people,  
3   elders or people with wheelchairs or walkers or --

4           A.    You mean as a normal situation?

5           Q.    Normal situation.

6           A.    Yes.  If I have a wheelchair, I'll get help.  My job  
7   is to hold that boat to the dock.

8           Q.    Right.

9           A.    You know, when you get in, just as close as I can  
10  (indiscernible) get tight against the step, top step, and if  
11  they're just a little feeble, they can walk all right but  
12  they're elderly, of course, I'll give them my other arm and  
13  help them -- just two steps, make sure they're on the dock all  
14  right.

15          Q.    Okay.

16          A.    But wheelchairs, we'll get help.  Usually the person  
17  that's with them, the person in the wheelchair will help -- we  
18  have a system they come out first.  They go on backwards, but  
19  we bring them out first.

20          Q.    Okay.

21          A.    We find it works better that way.  And it will be  
22  somebody on either side of the wheelchair and somebody back on  
23  the handlebars or whatever you call it.

24          Q.    Okay.  Do you know if there's any particular  
25  procedure for that, for disembarking?

1           A.    Wheelchairs and things?

2           Q.    Yeah.

3           A.    No.  We, we just know how to do it.  It's automatic  
4  for us.

5           Q.    Okay.  Is any kind of training involved that you  
6  participate in on a yearly basis or before -- when does the  
7  season start?

8           A.    First weekend of May.

9           Q.    First week in May.  Okay.  Is there any kind of  
10 training that you participate in --

11          A.    No.

12          Q.    -- from before the season starts?

13          A.    No, unless they have a new captain.

14          Q.    Okay.

15          A.    And he will go out with one of the seasoned captains,  
16 and he'll show the route.  He'll show him what he has to do  
17 (indiscernible) what has to be done, and we teach them the  
18 basics of the narration.

19          Q.    Okay.

20          A.    And there are certain things that if we have a list  
21 of things we have to point out, the old mansions and stuff.  If  
22 you don't point them out, they're going to ask you, the people  
23 on the boat.  And then you can ad-lib anything else and add  
24 what you want add, but you have to do those basic things in  
25 your narration.

1 Q. Is there anything in place such as man overboard  
2 drills or any of that kind of --

3 A. We have them on the big boats, fire and man  
4 overboard.

5 Q. Okay.

6 A. Yeah.

7 Q. (indiscernible) on the three --

8 A. No.

9 Q. -- smaller --

10 A. Because they're too close, they're too small.

11 Q. Okay.

12 A. But the two big boats definitely. It's mandatory.  
13 You will have them.

14 Q. Okay. And how often --

15 A. That's done every year.

16 Q. Every year?

17 A. Yeah.

18 Q. Once a year?

19 A. Yeah.

20 Q. Regular?

21 A. Yeah. After we open, we get our crews on those  
22 bigger boats, because we've -- if you don't have a crew there's  
23 nothing to -- you've got to show the crew duties too.

24 Q. Right.

25 A. And both fire drills and man overboard drills.

1 Q. Okay.

2 A. So you have to wait until you get a complete  
3 complement of your people who are going to be the crew on that  
4 particular boat, and then the captain of that boat will run  
5 them through everything.

6 Q. Okay. And you were talking earlier about season  
7 employees, they're college kids and --

8 A. Yeah. Most of them are. We have some older like  
9 mechanics and things. They're not college kids. They are some  
10 people with --

11 Q. Right. If they start beginning of the season, they  
12 usually finish all the way through?

13 A. Usually do.

14 Q. Okay.

15 A. Of course the American kids go back to college about  
16 third week of August or fourth week.

17 Q. Right.

18 A. Or if you get Russians, Romanians, and they can stay  
19 longer in this country, so they're with us, actually they're  
20 with us longer than the American kids are. We'll have some of  
21 the kids on weekends.

22 Q. Okay.

23 A. But not during the school week.

24 Q. Right.

25 A. And college kids, we'll have a few if they're going



1 to school locally, college locally, but if some of them are way  
2 out, they're not going to come home for the weekend just --

3 Q. Right.

4 A. -- work.

5 Q. So it's not necessarily that just in one particular  
6 season, summer season you're going to have (indiscernible)  
7 different kids coming from all different directions?

8 A. No.

9 (Simultaneous comments.)

10 A. They'll stay with us. Yeah.

11 Q. Okay.

12 A. As a rule.

13 Q. Okay. I can't think of anything right now. Thank  
14 you.

15 MR. TURRELL: Pat, do you have any --

16 MS. BARNES: I don't have any questions.

17 MR. TURRELL: Okay. Just in the interest of getting  
18 the first round of the party members. We're going to do this.  
19 One of the park police individuals. You'll all get a chance to  
20 question at the end, but just have one of you start asking  
21 first, if you want to --

22 SGT. SCHEDEL: You --

23 MR. TURRELL: Start with the names here.

24 SGT. SCHEDEL: Oh, Sergeant Schedel with the State  
25 Office of Parks and Recreation, New York State Park Police.

1 MR. TURRELL: Thank you.

2 BY SGT. SCHEDEL:

3 Q. Mr. Paris, in questioning, I just want to be clear  
4 how you exited the boat or were forced to exit the boat. The  
5 wake caught you on the starboard --

6 A. It didn't. I think Mother Nature --

7 Q. Right. Yeah.

8 A. It happened just like that. You have to understand  
9 that.

10 Q. But you went out the starboard side of the boat?

11 A. Yeah.

12 Q. Right by the --

13 A. Yeah, that's where we drive from on the starboard --

14 Q. Okay.

15 SGT. SCHEDEL: Okay, that's the only thing I needed  
16 to clear up.

17 MR. TURRELL: We'll go and start with actually a  
18 party member first.

19 Mr. Quirk.

20 MR. QUIRK: I don't have --

21 I was curious --

22 MR. TURRELL: Go ahead and identify yourself and  
23 speak up.

24 MR. M. QUIRK: Matthew Quirk.

25 MR. TURRELL: Okay, Matthew Quirk, okay. And you

1 represent Shoreline Cruises?

2 MR. M. QUIRK: Yes.

3 MR. TURRELL: Okay. Thank you.

4 BY MR. M. QUIRK:

5 Q. (indiscernible) when that first hit you rolled to the  
6 starboard side and you fell --

7 A. Rolled to the port side.

8 Q. Port side.

9 A. Right.

10 Q. And you rolled (indiscernible).

11 A. And finally all the weight was over there, so it just  
12 kept going right on over.

13 Q. Okay. And then as you were heading north on --  
14 before you got into that -- small bay area.

15 A. Uh-huh.

16 Q. Did, did you happen to see the Mohican pass you --

17 A. No.

18 Q. -- over your right shoulder?

19 A. No.

20 Q. So you didn't --

21 A. I assume he did, because he was on his normal cruise,  
22 Paradise Bay Cruise.

23 Q. At that time that --

24 A. At that time, yes.

25 Q. That --

1           A.    He usually leaves at 2:30, but he must have left late  
2 maybe to get more people or something because he passed me way  
3 down (indiscernible).

4           Q.    How late do you think he was?

5           A.    Oh, I don't -- five minutes.

6           Q.    Okay. And did you, did you happen to see the number  
7 of people --

8           A.    Yes.

9           Q.    -- was it a full boat, half boat?

10          A.    He had a pretty good crowd I guess. Of course I'm  
11 busy narrating and I, you know --

12          Q.    Right.

13          A.    He had a good crowd. It was a beautiful day.

14          Q.    And before the (indiscernible) did you notice anybody  
15 around, any boats in the lake in that, in your -- or that  
16 you --

17          A.    Not right there, no. I think I passed one down by  
18 Hearthstone Park. He was going slow, just a private boat.  
19 Small one, nothing that would throw a wake out like --

20          Q.    Did you know if he came --

21          A.    I don't know. This thing happened so fast. I look  
22 up and there was a whole bunch of private boats there, and they  
23 were -- God bless them. They were doing a great job.

24          Q.    (indiscernible).

25               MR. TURRELL: Liam?

1 MR. LARUE: Not now.

2 UNIDENTIFIED SPEAKER: (indiscernible).

3 MR. TURRELL: (indiscernible) being recorded right  
4 now so we're asking Mr. Paris questions right now.

5 Any other party members? Anyone want to ask any  
6 questions?

7 MAJ. RIVENBURGH: Yes, if I could. Major Rivenburgh,  
8 New York State Park -- Office of Parks and Recreation.

9 BY MAJ. RIVENBURGH:

10 Q. Captain, before you were removed by mother nature as  
11 you state, were you able to -- do you recall being -- putting  
12 your vessel into neutral or shutting the ignition --

13 A. I have been thinking about that. It happened so  
14 fast, I don't know. It was running when it capsized. I know  
15 that. I, I can't remember because I couldn't see the prop  
16 (indiscernible) was turning.

17 Q. Okay.

18 A. But she was running. I could hear it.

19 Q. Okay.

20 A. And it didn't run long -- started blowing up black  
21 smoke and then it quit. I assume the engine (indiscernible)  
22 because all the coolant had drained out of it. That's an  
23 assumption, but I think that's probably what it was, because  
24 the engine stopped just like that.

25 Q. Okay.

1           A.    Didn't even (indiscernible).

2           Q.    And the only other question I have is about the crew  
3 member. Is that your option that the crew members --

4           A.    It's usually assigned and I think Hugh Quirk can tell  
5 you more about that because he talked to the woman that ended  
6 up --

7                   MR. TURRELL: We'll interview Hugh Quirk at another  
8 time.

9                   MR. PARIS: Right.

10                  MAJ. RIVENBURGH: Thank you, sir.

11                  MR. TURRELL: Mr. Quirk, go ahead and identify  
12 yourself, James.

13                  MR. J. QUIRK: Yeah, James Quirk, Shoreline.

14                  BY MR. J. QUIRK:

15           Q.    One, one point. I just was a little bit curious  
16 about the -- question that Matt asked you and he didn't follow  
17 through with a (indiscernible), but in your estimation, is  
18 there any other boat that you know of that could have thrown a  
19 wake other than the one you mentioned?

20           A.    No. No. I will say this. Some of these cruisers,  
21 we have quite a few five mile an hour speeds around the lake,  
22 bays and of course if they (indiscernible). When they slow  
23 down five miles an hour, they throw out a bigger wake because  
24 they squat in the rear end, and that sort of shoots the whole  
25 idea five miles an hour no wake. They put out a bigger wake

1 when they're doing five miles an hour. But I did see a cruiser  
2 way out, but he was -- I don't think his wake even got over to  
3 me. He was more towards the east side of the lake.

4 Q. Okay.

5 A. And, and he was moving along. So I don't even really  
6 think he was throwing out much of a wake. The faster they go  
7 the less wake they throw, except the Mohican. I don't know of  
8 any other boat on the lake that throws out a wake. It always  
9 has. If I see him out on the lake, I'll keep an eye on him  
10 coming in and say, okay, time to swing about -- to go in the  
11 opposite direction depending on what way they were coming. I  
12 want the bow into those --

13 MR. TURRELL: This is Morgan Turrell for NTSB.

14 BY MR. TURRELL:

15 Q. How often do you have to change course for wakes on  
16 the lake? Is this a frequent occurrence?

17 A. Not really. On a busy day out on the lake sometimes  
18 you will get a slow cruiser, and for the comfort of the  
19 passengers, I'll just point the bow into them little bit rather  
20 than take them broadside and the boat will rock.

21 Q. Where in the lake does this, where in the lake  
22 normally does this occur? Near the shoreline or when you're  
23 crossing --

24 A. Well, usually the boat in question the Mohican, he's  
25 usually farther almost out into the middle of the lake, because

1 his cruises are timed and his morning cruise he goes all the  
2 way into the lake, and he's got to come back, and his Paradise  
3 Bay cruise goes up to Paradise Bay and then back. But cruisers  
4 of course they're going in every direction. You ask any  
5 private boat, they're actually (indiscernible) every minute  
6 because some of those people shouldn't be driving boats.

7 Q. Well, as far as the wakes are concerned --

8 A. Yes.

9 Q. -- and your action to avoid wakes, how often would  
10 you say that you had to take action on your boats to avoid  
11 wakes?

12 A. Oh, I don't think there's a good figure because some  
13 days there's no boats out on the lake because maybe it looks  
14 like it's going to rain or something, and, and some days, a  
15 good day, sunny day, warm July day or something, there will be  
16 a awful lot of boat traffic out there.

17 Q. So there's --

18 A. So it's hard to say.

19 Q. When there's a lot of boat traffic out there as there  
20 was on Sunday. There were a lot of boats --

21 A. A lot, yeah, for this time of year.

22 Q. Would you say that you noticed these types of waves  
23 previously? Is this something --

24 A. You mean the wave that hit me or --

25 Q. Yes.



1 A. -- just from --

2 Q. The wave that hit you. Waves that might --

3 A. Not that big, no.

4 Q. Okay. But waves have affected your boat, and you had  
5 to --

6 A. Yeah.

7 Q. -- or change --

8 A. You've got a lot of boats coming by you different  
9 directions. Sometimes you'll have wakes coming from both  
10 sides.

11 Q. Okay.

12 A. So you -- quick look, see well that was a bigger one,  
13 we'll go into that one, you know.

14 Q. Would you say these, these types of wakes that you  
15 have to adjust for occur more near the shoreline or do they  
16 occur more in the middle of the lake?

17 A. Well, it's the Mohican, and I hate to use this for an  
18 example, but even a slow moving cruiser out in the middle of  
19 the lake, and if you're near him or you're crossing the lake  
20 and he's coming by --

21 Q. Sure.

22 A. -- the wake, the wake will be big right at that time,  
23 but as they get closer to the shore, they mellow out a little  
24 bit and get a little lower and lower, and sometimes you don't  
25 even pay attention to them because he was way out, you know,

1 his wake's not going to bother anything.

2 MR. TURRELL: I'll allow Mr. Doug David to -- I'm  
3 sorry. The Party members, do you have any more questions?

4 MAJ. RIVENBURGH: One more follow-up.

5 MR. TURRELL: Sure, sure. Your name?

6 MAJ. RIVENBURGH: Maj. Rivenburgh with the Park  
7 Police again.

8 BY MAJ. RIVENBURGH:

9 Q. Captain, how close to shore were you? I, I've been  
10 out to this location. I've seen the buoys and I saw the vessel  
11 being --

12 A. I was probably good 150 feet.

13 Q. 150 feet?

14 A. Close to 200 feet, yes.

15 Q. Okay. That's from --

16 A. The main shore.

17 Q. Okay.

18 A. (indiscernible) from Cramer Point.

19 Q. Okay.

20 A. So right smack in the middle of --

21 Q. Okay. I just couldn't see the shoreline from my  
22 vantage point.

23 A. Oh.

24 Q. I just want, you know.

25 A. Yeah.

1 Q. Thank you, sir.

2 MR. TURRELL: Mr. Quirk.

3 MR. M. QUIRK: Matt Quirk.

4 MR. TURRELL: Uh-huh.

5 BY MR. M. QUIRK:

6 Q. On that day, on a scale of 1 to 10, what do you  
7 think -- what were the conditions? The wind conditions, the  
8 water conditions.

9 A. I'd say about a 9, 8 to 9.

10 Q. Could it get any better?

11 A. Did it get any better?

12 Q. Could it get any better for a tour?

13 A. Not really.

14 Q. Okay. Because --

15 A. Just a perfect day out there. It was beautiful.

16 That's why there were a lot of boats out there because it was  
17 people were getting in last shot, you know, getting --

18 Q. Would you say the conditions were perfect to take out  
19 a group of senior citizens?

20 A. Oh, definitely, definitely.

21 Q. And would you have any thought in your mind why you  
22 wouldn't be out there? Why, why you shouldn't be?

23 A. Not as far as conditions of the lake are concerned,  
24 not at all. It was a beautiful day. They made remarks getting  
25 on the boat said, boy, we picked a good day for this, didn't

1 we? I said, yes, ma'am, you did, you know.

2 MR. TURRELL: Anything else?

3 Morgan Turrell again.

4 BY MR. TURRELL:

5 Q. Richard, which end of the boat -- you said the bow  
6 went in first or the bow submerged first, capsized?

7 A. No. I think it was about equally.

8 Q. Equally.

9 A. Capsized equally because that wave hit -- stern, but  
10 by the time the boat was over it was hitting all the way up to  
11 the port side -- or starboard side of the boat.

12 Q. Okay.

13 A. Just due to the angle that it came in.

14 Q. Okay. What electronic equipment, any radios, that  
15 sort of thing? What type of communication --

16 A. We have radios.

17 Q. What kind of radio is it?

18 A. It's a ship to shore call it.

19 Q. Ship to shore. Is that a common frequency for the  
20 whole lake or is it just for a company?

21 A. We are on Channel 6, and it is a common frequency.  
22 Then you have your emergency at Channel 16.

23 Q. Do you recall if that's a VHF radio then?

24 A. Yeah.

25 Q. And besides the VHF radio, is there any other

1 electronic equipment onboard for navigation or communication?

2 A. Well, running lights.

3 Q. Running lights.

4 A. And they all have spotlights on them.

5 Q. Okay.

6 A. And of course daytime we have signal flares, which  
7 are -- that's something else that the state inspects for.

8 Q. Okay.

9 A. Make sure your signal flares haven't expired.

10 Q. And what other type of vessel equipment just real  
11 quick? Have anchors on it?

12 A. Anchor.

13 Q. Anchor?

14 A. Yeah.

15 Q. One anchor?

16 A. Yeah, it's (indiscernible) anchor.

17 Q. And that's located where?

18 A. Up in the bow. On top of the deck on the bow. The  
19 line is down in the (indiscernible) up there in the front of  
20 the boat.

21 Q. Company procedures. Do you -- does the company have  
22 a handbook or any sort of company procedures to your knowledge  
23 that you've been given as an employee? Any written  
24 instructions?

25 A. Other than the narration, that's all, narration and

1 like I say, if we get a new captain, the captain  
2 (indiscernible) training and takes him out for (indiscernible).

3 Q. So word of mouth.

4 A. It's word of mouth. He's told what you have to do or  
5 what you're required to do.

6 Q. Okay. Okay. And so what other type of documentation  
7 the company as far as -- do you get like a paycheck? How is  
8 that? Is it --

9 A. We get paid weekly.

10 Q. Weekly?

11 A. Yeah.

12 Q. Okay. And do you submit hours or do they just keep  
13 track of the hours for you?

14 A. We have a time clock we punch in.

15 Q. And all the employees do that?

16 A. Yeah.

17 Q. Okay.

18 MR. TURRELL: Let's see here. I'm going to go around  
19 just to make sure there's any other questions before I get into  
20 some of the (indiscernible) performance and personal issues.

21 Any other questions about the operations, the  
22 accident, maintenance? Anything else from anyone else here?

23 Okay, before I get into my (indiscernible)  
24 performance questioning, Mr. Paris, do you need a break at all?  
25 Five minutes?

1 MR. PARIS: That would be good.

2 MR. TURRELL: Would you like that?

3 MR. PARIS: Sure.

4 MR. TURRELL: We'll take a five-minute break here and  
5 just --

6 (Off the record.)

7 (On the record.)

8 MR. TURRELL: Okay, this is Morgan Turrell. We're  
9 back on the record, and it's Monday, October 4th. This is  
10 Morgan Turrell. To my right is.

11 MR. LARUE: Liam Larue, NTSB.

12 MR. S. QUIRK: Sean Quirk, Shoreline.

13 MR. M. QUIRK: Matt Quirk, Shoreline.

14 MR. J. QUIRK: Jim Quirk, Shoreline.

15 SGT. SCHEDEL: Sergeant Walt Schedel, New York State  
16 Park Police.

17 MR. DAVID: Investigator Doug David, Warren County  
18 Sheriff.

19 MR. HICKEY: Kevin, attorney for Mr. Paris.

20 MR. TURRELL: And, Mr. Paris.

21 BY MR. TURRELL:

22 Q. Okay, do you realize we are being recorded?

23 A. Yes.

24 Q. Okay. I'm going to ask you some question about what  
25 we call human performance, and these are questions about your,

1 your medical conditions, fatigue, how many hours you work,  
2 your -- any physical ailments, medications you might be taking  
3 and so forth. So let me just start with -- will you tell me  
4 about your sleep patterns like when you go to bed, when you  
5 wake up? In general how (indiscernible)?

6 A. Normally, I'm usually in bed by 9 or 9:30.

7 Q. Okay.

8 A. And I'm usually up no later than 5:30.

9 Q. And how, how -- is this a everyday occurrence or is  
10 this during the workweek or --

11 A. No. This is -- my routine.

12 Q. Routine?

13 A. Yes.

14 Q. And can you tell me on the -- on Sunday, was this  
15 your routine?

16 A. Probably the same, yeah.

17 Q. Well, do you know exactly what time you woke up  
18 roughly? Can you tell me --

19 A. I can say between 5 and 5:30.

20 Q. Okay.

21 A. I wake up. I can't get back to sleep so I get up.  
22 I've never needed much sleep anyway.

23 Q. Okay.

24 A. Always have since I was a little kid.

25 Q. Okay. Can you tell me what kind of routine you do,



1    what kind of breakfast you have and what --

2           A.    Oh, my first routine is to go over to what they call  
3    the Prospect Mountain Diners south of (indiscernible).

4           Q.    Okay.

5           A.    Because we don't have coffee in the house. My wife's  
6    not a coffee drinker, so I go over there and solve the world  
7    problems with (indiscernible) who come there in the mornings.

8           Q.    Okay.

9           A.    And I go get my newspapers and I go home and I fix  
10   myself some breakfast or the wife does it, read the papers.

11          Q.    So you go back -- then you go back home to have  
12   breakfast?

13          A.    Yeah.

14          Q.    And just normal breakfast for you would consist of  
15   what?

16          A.    Couple of eggs maybe four times a week, and if I'm  
17   tired of breakfast food, I'll make myself a sandwich or  
18   something.

19          Q.    And that morning, roughly do you --

20          A.    I had -- Sunday morning is my big breakfast. I  
21   had -- I think I had couple eggs, some home fries and some kind  
22   of meat. I think it was ham.

23          Q.    Okay. And so between -- this roughly time frame of  
24   breakfast is what time?

25          A.    Well, I usually read the papers first. That's when I

1 start getting a little hungry. So it's probably -- I'm back  
2 home by 6:30, quarter of 7, glance through the papers, and  
3 probably sometime between 7:30 and 8 o'clock, I have breakfast.

4 Q. Okay. And, okay, between 8 o'clock and your -- when  
5 you went to work at 10:30 --

6 A. Well, I was there before 10:30. I was there about  
7 9:30.

8 Q. Okay, so between 8 and 9:30 what did you do?

9 A. Read some more paper.

10 Q. Okay. You said in your home?

11 A. Yeah.

12 Q. And who else was -- with your wife?

13 A. My wife.

14 Q. Okay. And so between 8 and 9:30, and what time do  
15 you leave to go to work?

16 A. I left probably about 20 minutes after 9. I only  
17 live 10 miles -- or 10 minutes from --

18 Q. Okay. Can you recall what you did the two days  
19 Friday and Saturday as far as a routine?

20 A. Let's see. Trying to -- if I worked Thursday, Friday  
21 and Saturday. I don't know. I'm getting old. At -- well, if  
22 I worked, I went to work. If I didn't, I was getting off of  
23 the -- over a neck muscle spasm, and boy it really hurt to do  
24 something, to turn, you know, like a stiff neck, you know. I  
25 was going to do some yard work and it bothered me a little bit.

1 Q. On Saturday?

2 A. I'm not -- yeah, well, I think I had it Friday, and I  
3 probably didn't get rid of it until Saturday, ice packing it  
4 and actually it was a basic stiff neck. Everybody gets a stiff  
5 neck once in awhile.

6 Q. You have no idea why you got the stiff neck?

7 A. I think I fell asleep -- I have two pillows on the  
8 bed I use to read before I go to sleep. I think I fell asleep  
9 on those so my head wasn't in the right position.

10 Q. So is this -- Richard, I just want you to think back  
11 Saturday what you, what you were doing Saturday.

12 A. I didn't work didn't.

13 Q. You did not work Saturday.

14 A. And I didn't do too much of anything.

15 Q. That's okay. That's --

16 A. I know I have outside work to do, and I couldn't do  
17 it because it was bothering me, my neck, but that's all cured  
18 now.

19 Q. Were you treated for this neck at all?

20 A. I called my doctor. I had to go down. My doctor  
21 says come on down. We'll check it out. He said you've got  
22 just what they call a muscle spasm. Use just ice pack.  
23 Because I didn't know what to use, heat or ice, and he said no  
24 use the ice pack and then use the heat afterwards, a heating  
25 pad.

1 Q. Do you recall when you saw the doctor?

2 A. I think it was late morning he fit me in.

3 Q. On which day?

4 A. That was, that was Friday.

5 Q. Friday?

6 A. Yeah. Actually closed on Saturday.

7 Q. Late morning?

8 A. I believe it was, yes.

9 Q. So if you went to the doctor now, can you think now  
10 you went to the doctor this is Friday, did you work that day  
11 since you went to the doctor late morning?

12 A. I was scheduled to work, but I took it off because of  
13 the doctor's appointment. I had to do something with -- I  
14 wouldn't have been worth a darn at work.

15 Q. So scheduled to work and then you -- so you went to  
16 the doctor late Friday morning, and --

17 A. I believe.

18 Q. -- you -- what did you do after the doctor's office?

19 A. Came back home and did what he said, put ice packs on  
20 my neck, and that cured it.

21 Q. And what did you do the rest of that day, just sit  
22 home?

23 A. I just lounged around.

24 Q. And then what time did you go to bed Friday night  
25 then?

1 A. Probably my usual time, 9, 9:30.

2 Q. Did the doctor prescribe any medication to you?

3 A. No.

4 Q. And is your neck feeling better now?

5 A. Yes.

6 Q. Was your neck feeling better on Sunday?

7 A. It was improving, yeah, but I could turn my head  
8 before I could, you know, it really hurt to turn your head, you  
9 know. Sometimes you forget.

10 Q. So you went to the doctor around late Friday morning.

11 A. I believe it was Friday morning.

12 Q. So when did you first notice your neck was hurting?  
13 Thursday night?

14 A. I think it was the day before.

15 Q. Thursday.

16 A. And I started using heat.

17 Q. Okay.

18 A. And that wasn't doing a darn thing so.

19 Q. Was it causing a lot of discomfort? Did you lose any  
20 sleep?

21 A. Not really, no, but then just getting up and moving  
22 around. It would loosen up if you get up in the morning and  
23 then start moving around a little bit, but it was just a bad  
24 stiff neck is what it was.

25 Q. Okay, okay. Now in general, are you under a doctor's

1 care for any other particular ailments?

2 A. Well, my primary doctor, I see him every six months.

3 Q. Okay.

4 A. And I do have an enlarged prostate. He checks that,  
5 of course, and I do go down to the hospital and take blood  
6 samples. That's just for -- because (indiscernible) was a  
7 PSA --

8 Q. Okay.

9 A. -- just because of that prostate.

10 Q. Okay.

11 A. So fine it's been fine.

12 Q. Okay.

13 A. Which is a normal thing my age.

14 Q. Are you receiving any medications or prescriptions?

15 A. Just high blood pressure, which it's working. It's  
16 keeping my blood pressure where it's supposed to be, and  
17 cholesterol, but my cholesterol is fine too. That's all.

18 Q. Do you recall the prescription, the name of the  
19 prescriptions and the dose?

20 A. One of them is Pravachol.

21 Q. Pravachol?

22 A. Yeah.

23 Q. Okay.

24 A. And that's for the blood or the cholesterol --

25 Q. And what's the name of the other medication?

1           A.    I can't think of it.  Should have brought them with  
2   me.  It's a common.  I know the name, but I can't think of it,  
3   for cholesterol.

4           Q.    For cholesterol?

5           A.    Yeah.  And I take a couple of over-the-counter things  
6   on his recommendation.

7           Q.    And what are those?

8           A.    (indiscernible), aspirin a day.

9           Q.    Okay.

10          A.    Fish oil.

11          Q.    Fish oil.

12          A.    And folic acid.

13          Q.    Okay.

14          A.    (indiscernible) drugstore.

15          Q.    Yeah, okay.  So let's see here.  Are there any family  
16   problems or any stress -- source of stress at home?

17          A.    None whatsoever.

18          Q.    How often do you think you say you would go to a  
19   doctor or a physician?

20          A.    Every six months.  I see him every six months.  It's  
21   just for checkup.  It's not because I've got a problem or  
22   anything.  He just wants to keep an eye on the prostate --  
23   routine.

24          Q.    Okay.  Do you have any history of illicit drug use?  
25   We're talking marijuana, cocaine, barbiturates.

1           A.    Never.

2           Q.    And tobacco use?

3           A.    I do smoke.  Of course the doctor says I -- was going  
4 to quit, and now this happened and this was bad timing to try  
5 to quit.

6           Q.    How many packs a day?

7           A.    Oh, less than a pack, usually.

8           Q.    And caffeine, how much caffeine do you think you  
9 consume in a day?

10          A.    Two cups of a coffee (indiscernible) that's it for  
11 the day.  Usually once in awhile at work I'll have a cup  
12 standing around waiting for business to pick up.  That's all.  
13 I'm not a big coffee drinker.  I just have to have it in the  
14 morning.  I love my coffee.  I don't overdo it.

15          Q.    And alcohol?  First of all, have you consumed alcohol  
16 in the last six months?

17          A.    Yes.

18          Q.    Okay.  And --

19          A.    I can tell you when I had my last beer.  That's all I  
20 drink is beer.  Last Thursday afternoon was the last beer I  
21 had.

22          Q.    And how much beer did you have that Thursday?

23          A.    That was about three 8-ounce glasses.

24          Q.    And how often would you say you -- this type of  
25 consumption would occur in a, in a month or so?



1           A.    Oh, gosh, in a month, I can probably --

2           Q.    So prior to last Thursday's three 8-ounce servings of  
3 beer, when was the time you drank before that?

4           A.    I think the previous Sunday.

5           Q.    Okay.

6           A.    I stayed home to watch football, and I had a couple  
7 of cans of beer in the fridge and I had probably two cans of  
8 beer while I was watching the football game.

9           Q.    Just for curiosity, what kind of beer do you drink?

10          A.    Bud.

11          Q.    Okay. So, so you watch football on Sundays and you  
12 drink a --

13          A.    Yes.

14          Q.    -- beer or two?

15          A.    Yeah.

16          Q.    Do you ever go out to a bar or tavern to drink?

17          A.    Occasionally, but I'm trying to keep my weight down.  
18 I've lost a lot of weight purposely, you know. It's not that  
19 I'm sick or anything.

20          Q.    Now before -- okay, so how long has this pattern of  
21 beer drinking would you say last for years or usually --

22          A.    Oh, more than that probably (indiscernible).

23          Q.    Is there any time in your life where you suffered  
24 from alcoholism?

25          A.    No.

1 Q. Have you ever been treated for alcoholism?

2 A. No.

3 Q. Any history of psychological problems or psychiatry  
4 of anything?

5 A. No.

6 Q. When was the last time you had -- besides the two you  
7 mentioned the -- medications for cholesterol, high blood  
8 pressure, when was the last time prior that you had a  
9 prescription from a doctor for something else? Pain  
10 medication? Muscle relaxer?

11 A. No. I've never had (indiscernible).

12 Q. Nothing, nothing recently then?

13 A. No.

14 Q. And then the day before the accident did you, did you  
15 consume any alcohol?

16 A. No. No, it's just that previous Thursday I think I  
17 remember it well.

18 Q. And since the accident, have you had any alcohol?

19 A. No.

20 Q. Since the accident, have you -- besides your two  
21 prescription medications, have you taken any other prescription  
22 medications?

23 A. No. I took (indiscernible) prescription  
24 (indiscernible) I've been taking them for a few years now,  
25 doctor's orders.

1 Q. Right. Would you say that you get tired easily?

2 A. No.

3 Q. What kind of exercise besides you activities at work,  
4 what --

5 A. Around the house, yard work.

6 Q. Yard work.

7 A. Snow blowing, shoveling in the wintertime, whatever,  
8 anything a homeowner does, you know.

9 Q. Sure.

10 A. You own your own home, there's always something.

11 Q. Walking, aerobics, anything else?

12 A. No.

13 Q. Weightlifting?

14 A. No. I do walk quite a bit.

15 Q. Okay. How often do you think you walk or how far do  
16 you think you walk?

17 A. Well, our mailbox from my house is probably doesn't  
18 sound like a lot, about 100 yards, and I don't drive down, you  
19 know weather permitting. Get the mail, walk back up.

20 Q. Okay.

21 A. But mowing and stuff.

22 Q. That's all I have for my questions.

23 MR. TURRELL: Liam, do you have any performance  
24 questions?

25 MR. LARUE: Just one question. Liam Larue, NTSB.

1 BY MR. LARUE:

2 Q. You seem to have a, you know, fairly regular sleep  
3 schedule. Do you sleep well at night? Do you --

4 A. Yes, I do. I don't require a lot of sleep. I can  
5 get away with five, five and a half hours a night. I always  
6 have since I was a little kid, but its good sleep. It's solid.  
7 I don't wake up during the night for any reason at all. It's  
8 just -- just don't require a lot of sleep.

9 MR. LARUE: That's it.

10 MR. TURRELL: Mr. Quirk. Mr. Quirk, Mr. Quirk.  
11 Sean.

12 Anybody else add anything about your medical  
13 condition or anything else that we need to know? No?

14 All right, just go ahead and confirm again this is  
15 recorded, and we'll end this interview.

16 (Whereupon, the interview of Richard Paris was  
17 concluded.)

18

19

20

21

22

23

24

25

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:           Investigation of MV Ethan Allen  
                              Lake George, New York  
                              October 2, 2005  
                              Interview of Richard Paris

DOCKET NUMBER:           DCA 06 MM 001

PLACE:                    Lake George, New York

DATE:                     October 4, 2005

was held according to the record, and that this is the  
original, complete, true and accurate transcript which has been  
compared to the recording accomplished at the hearing.

-----  
Katherine Motley  
Transcriber